

IN THE SENATE

SENATE BILL NO. 1117

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE OFFICE OF STATE APPELLATE PUBLIC DEFENDER; AMENDING SECTION 19-869, IDAHO CODE, TO REMOVE CERTAIN LANGUAGE RELATING TO THE APPOINTMENT OF THE STATE APPELLATE PUBLIC DEFENDER; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 19-869, Idaho Code, be, and the same is hereby amended to read as follows:

19-869. CREATION -- APPOINTMENT -- QUALIFICATIONS -- TERM -- COMPENSATION. (1) The office of state appellate public defender is hereby created in the department of self-governing agencies.

(2) The state appellate public defender shall be appointed by the governor, with the advice and consent of the senate, ~~from a list of not less than two (2) nor more than four (4) qualified persons recommended by a committee consisting of the president of the Idaho state bar association, the chairman of the senate judiciary and rules committee and the chairman of the house judiciary, rules and administration committee and a citizen at large appointed by the governor. The chief justice of the Idaho supreme court, or her designee, shall be an ex officio member of the committee.~~

(3) The state appellate public defender shall be an attorney licensed to practice law in the state of Idaho and shall have a minimum of five (5) years' experience as a practicing attorney. The governor may prescribe such further qualifications as he deems necessary for the position.

(4) The state appellate public defender shall serve for a term of four (4) years, during which term he may be removed only for good cause, and shall be compensated in an amount determined by the governor.

(5) The state appellate public defender may adopt policies or rules necessary to give effect to the purposes of this act.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.